



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED GROUP 100
NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES AUG 16 1988

In re application of: ATSUMI et al

Serial No.: 036,124

Examiner: BENSON, R.

Filed: April 7, 1987

Art Unit: 123

For: NEW CEPHALOSPORIN COMPOUNDS AND THE PRODUCTION THEREOF

Washington
8/17/88

The Honorable Commissioner of Patents and Trademarks
Washington, DC. 20031

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated 02/10/88 of the Primary Examiner finally rejecting claims 1-4, 6-13, 15, 16, 18 & 19.

The items checked below are appropriate:

1. [] A petition for an extension of time for response to the final rejection accompanies this notice of appeal.

2. [X] A petition for an extension of time of 3 months to respond to the final rejection was filed on 07/22/88.

3. [] Applicant is a small entity and small entity status is established

- a. [] by papers filed on _____.
- b. [] in parent application Serial No. _____.
- c. [] by a verified statement submitted herewith.

4. [X] Appeal Fee

- a. [] Not required (Fee paid in prior appeal.)
- b. [X] Full \$130.00. c. [] Small entity \$65.00.

5. [X] A Brief on Appeal is due to be filed on 10/09/88.

6. [X] The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 in connection with this communication which may be required, or credit any overpayment to Deposit Account No. 12-0555.

7. [] Oral hearing. (Note, this request is not due until one month after mailing of Examiner's Answer.) An oral hearing is requested and the following fee for this request is included in the check submitted herewith:

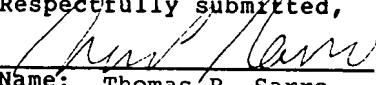
[] Full - \$110.00 [] Small Entity - \$55.00

8. [X] A check in the amount of \$ 130.00 is enclosed.

9. [X] In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this notice, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee due in connection with this petition is authorized in paragraph 5, 100 08/10/88 036124 1 119 130.00 CK

Respectfully submitted,

Date: August 9, 1988


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